

Visitor's Guide to Oral Argument at the Supreme Court of the United States

A case selected for argument usually involves interpretations of the U. S. Constitution or federal law. At least four Justices have selected the case as being of such importance that the Supreme Court must resolve the legal issues.

An attorney for each side of a case will have an opportunity to make a presentation to the Court and answer questions posed by the Justices. Prior to the argument each side has submitted a legal brief—a written legal argument outlining each party's points of law. The Justices have read these briefs prior to argument and are thoroughly familiar with the case, its facts, and the legal positions that each party is advocating.

Beginning the first Monday in October, the Court is scheduled to hear up to four one-hour arguments a day, three days a week, in two week intervals, (with longer breaks in December and February), concluding the oral argument portion of the term in late April. Typically, two arguments are held in the mornings beginning at 10 a.m. and two in the afternoons beginning at 1 p.m. on Monday, Tuesday, and Wednesday. In the recesses between argument sessions, the Justices are busy writing opinions, deciding which cases to hear in the future, and reading the briefs for the next argument session. They grant review in approximately 100 of the more than 7,000 petitions filed with the Court each term. No one knows exactly when a decision will be handed down by the Court in an argued case, nor is there a set time period in which the Justices must reach a decision. However, all cases argued during a term of Court are decided before the summer recess begins, usually by the end of June.

During an argument week, the Justices meet in a private conference, closed even to staff, to discuss the cases and to take a preliminary vote on each case. If the Chief Justice is in the majority on a case decision, he decides who will write the opinion. He may decide to write it himself or he may assign that duty to any other Justice in the majority. If the Chief Justice is in the minority, the Justice in the majority who has the most seniority assumes the assignment duty.

Draft opinions are privately circulated among the Justices until a final draft is agreed upon. When a final decision has been reached, the Justice who wrote the opinion announces the decision in a Court session and may deliver a summary of the Court's reasoning. Meanwhile, the Public Information Office releases the full text of the opinion to the public and news media.

Participants in the Courtroom

JUSTICES. The Justices enter the Courtroom through three entrances behind the Bench. The Chief Justice and two senior Associate Justices enter through the center, and three Associate Justices enter through each side. They also sit on the Bench in order of seniority with the Chief Justice in the middle, and the others alternating from left to right, ending with the most junior Associate Justice on the far right, as you face the Bench.

CLERK. The Clerk of the Supreme Court or his representative sits to the left of the Bench. His responsibilities in the Courtroom include providing the Justices with materials about the case if the Justices desire additional documents and notifying the appropriate Court personnel when an opinion can be released to the public. He also swears in new members of the Supreme Court Bar.

MARSHAL. The Marshal or the Marshal's representative sits to the right side of the Bench. The Marshal's roles are to call the Court to order, maintain decorum in the Courtroom, tape the audio portions of argument, and time the oral presentations so that attorneys do not exceed their one-half hour limitations.

MARSHAL'S AIDES. Marshal's Aides are seated behind the Justices. They often carry messages to the Justices or convey messages from a Justice to a member of his or her staff.

ATTORNEYS. The attorneys scheduled to argue cases are seated at the tables facing the Bench. The arguing attorney will stand behind the lectern immediately in front of the Chief Justice. On the lectern there are two lights. When the white light goes on, the attorney has five minutes remaining to argue. The red light indicates that the attorney has used all the allotted time.

Attorneys who are admitted as members of the Supreme Court Bar may be seated in the chairs just beyond the bronze railing. Any member of the Supreme Court Bar may attend any argument, space permitting.

Others

LAW CLERKS. Each Justice has the option of employing up to four law clerks as assistants. These clerks are law school graduates who have previously clerked for a federal judge on a lower court. The clerks often listen to oral arguments. They are seated in the chairs flanking the Courtroom on the right.

SPECIAL GUESTS. Guests of Justices are seated in the benches to the right of the Bench and are seated in order of the seniority of the Justice who invited them. The row of black chairs in front of the guest section is reserved for retired Justices and officers of the Court, such as the Reporter of Decisions or the Librarian, who attend oral argument from time to time.

NEWS MEDIA. Members of the Supreme Court press corps sit to the left of the Bench in the benches and chairs facing the guest section. The press enter the Courtroom from the hallway on the left.

Courtroom Seating

All oral arguments are open to the public, but seating is limited and on a first-come, first-seated basis. Before a session begins, two lines form on the plaza in front of the building. One is for those who wish to attend an entire argument, and the other, a three-minute line, is for those who wish to observe the Court in session only briefly. Please do not hold a space in either line for others who have not yet arrived.

Seating for the first line begins at 9:30 a.m. and 12:30 p.m. Seating for the three-minute line begins at 10 a.m. and 1 p.m. The locations for these lines are marked with signs, and there is a police officer on duty to answer your questions.

Visitors should be aware that cases may attract large crowds, with lines forming before the building opens. Obviously there are unavoidable delays associated with processing and seating large numbers of visitors, and your cooperation and patience are appreciated. Court police officers will make every effort to inform you as soon as possible whether you can expect to secure a seat in the Courtroom.

Groups with reserved seats should line up to the right of the three-minute line.

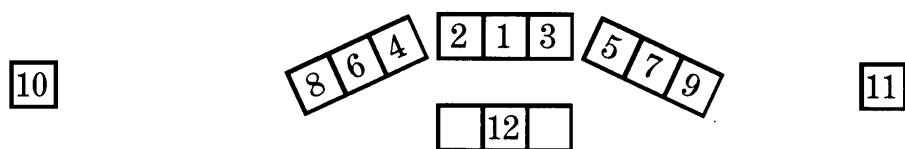
You will go through a security checkpoint as you enter the building and again as you enter the Courtroom. Weapons or other dangerous or illegal items are not allowed on the grounds or in the building. Please refrain from taking the following items into the Courtroom when Court is in session: cameras, radios, pagers, tape players, cell phones, tape recorders, other electronic equipment, hats, overcoats, magazines and books, briefcases and luggage. Sunglasses, identification tags (other than military), display buttons and inappropriate clothing may not be worn. A checkroom is available on the first floor to check coats and other personal belongings. Coin operated (quarters only) lockers for cameras and other valuables are available. The checkroom closes 30 minutes after Court adjourns.

We do not recommend taking infants or small children into the courtroom.

When the Court adjourns for lunch all persons must leave the Courtroom and the Great Hall. Persons attending the afternoon session must line up again on the Front Plaza to gain admission.

The Supreme Court of the United States

(Courtroom Seating Chart)



1. Chief Justice Rehnquist
2. Justice Stevens
3. Justice O'Connor
4. Justice Scalia
5. Justice Kennedy
6. Justice Souter
7. Justice Thomas
8. Justice Ginsburg
9. Justice Breyer
10. Clerk of the Court
11. Marshal of the Court
12. Counsel